

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Maryland

MAY 24 2016

AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

United States of America

v.

ROBERT LEE OWENS

Case No.

16-1384SAG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 23, 2016 in the county of Baltimore City in the
District of Maryland, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Section 922(g)(1)

Possession of a firearm by a felon

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Arnold Esposito, Jr.
Complainant's signature

SA Arnold Esposito, Jr., ATF
Printed name and title

Sworn to before me and signed in my presence.

Date: May 23, 2016

Stephanie A. Gallagher
Judge's signature

City and state: Baltimore, Maryland

Stephanie A. Gallagher, U.S. Magistrate Judge
Printed name and title

16-1384SAG

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

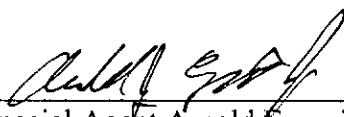
Your Affiant, Special Agent Arnold Esposito, Jr., deposes and states as follows:

1. Your Affiant, Arnold Esposito, Jr., has been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) since January of 2015. Special Agent Esposito has completed the Criminal Investigator Training Program at the Federal Law Enforcement Center located in Brunswick, Georgia. Special Agent Esposito has also completed the Special Agent Basic Training Course at the ATF National Academy located in Glynco, Georgia. Special Agent Esposito is currently assigned to the Baltimore Field Division, Group III, where his assignments involve conducting criminal investigations into cases of illegal possession/transfer of firearms, firearms trafficking, and violent crimes involving firearms and narcotics trafficking. Special Agent Esposito has participated in numerous search warrants, arrests, and street enforcement. Special Agent Esposito has been the case agent on 4 cases involving defendants using and/or possessing firearms in Baltimore City. Prior to joining ATF, Special Agent Esposito served as a Uniformed Officer for the United States Secret Service. Special Agent Esposito has a Bachelor of Arts Degree in Criminal Justice from the University of Delaware.
2. I make this Affidavit in support of a Criminal Complaint charging the defendant, Robert Lee OWENS, with possession of a firearm by a previously convicted person in violation of 18 U.S.C. § 922(g)(1). This Affidavit is based on personal knowledge obtained while participating in this investigation. I have not included all of the information known to myself and other law enforcement officers in this Affidavit, but I do not believe that I have omitted any information that would tend to defeat a showing of probable cause.
3. As part of an ongoing firearms trafficking investigation involving Robert Lee OWENS (year of birth 1952), I learned Robert Owens is a convicted felon, having been arrested on November 15, 1986, and subsequently convicted in Baltimore City Circuit Court of the offense of Possession of Narcotics for which he received a sentence of three years imprisonment. Additionally, on May 20, 1993, OWENS was convicted of the offense of Possession of Narcotics in Baltimore City Circuit Court, for which he received a sentence of four years imprisonment (suspended) and two years of probation. Thus, the defendant has been previously convicted of a crime punishable by a term of imprisonment exceeding one year.
4. On May 23, 2016, ATF utilized a registered Confidential Informant (CI-1), who has worked under the direction of ATF on numerous firearms and narcotics investigations over a period of three years leading to multiple arrests and convictions for violations of

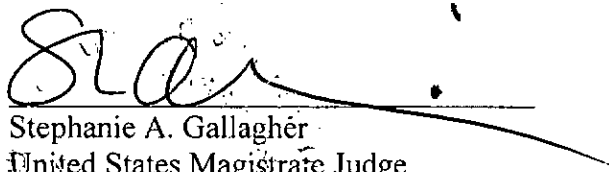
state narcotics offenses. Over this period of time CI-1 has been utilized, he/she has been deemed reliable.

5. On this same date, ATF CI-1, under the direction of ATF, was provided a pre-determined amount of official funds and a vehicle equipped with audio/video recording devices. CI-1 had previously been offered a firearm for sale by an individual known to her as "Cowboy." CI-1 previously identified "Cowboy" from a Maryland Motor Vehicle Administration photograph. The photograph identified by CI-1 was that of Robert Lee OWENS, previously described in paragraph three. CI-1 agreed to purchase the firearm from OWENS through phone communication with OWENS on a previous date.
6. On that same date, CI-1 was followed by ATF personnel to OWENS' residence, located at 5104 Sunset Road, Baltimore, Maryland 21215. Upon arrival, CI-1 attempted to call OWENS via phone numbers previously provided by OWENS with negative results. CI-1 then exited the vehicle and walked to the front door where CI-1 was greeted by OWENS. CI-1 returned to the vehicle and waited for OWENS to meet inside the vehicle to consummate the transaction. Shortly thereafter, OWENS arrived at the vehicle carrying an object draped in an American flag. CI-1 examined the object, which was a Western Field Model M865 .22 Long Rifle, Lever-action (no serial number), and seven rounds of .22 caliber ammunition. CI-1 then payed OWENS the previously agreed upon price of \$200. Following the transaction, CI-1 was met and debriefed at a pre-determined location. At which time, the previously described property was taken into ATF custody.
7. During the transaction, CI-1 engaged OWENS in conversation. At such time, OWENS told CI-1 that the firearm was loaded with one bullet. CI-1 inquired as to why he was providing him/her with a loaded gun. OWENS proceeded to tell CI-1, among other statements, "...I was getting ready to use it to shoot some cops...cuz they done made that motherfucker uh innocent."
8. On that same date, a not guilty verdict was handed down by a Baltimore City Circuit Court judge relating to the trial of a Baltimore City Police Officer involved in the Freddie Gray matter.
9. On that same date, I conducted research on the purchased firearm (Western Field Model M865 .22 Long Rifle, Lever-action, No Serial Number). I determined that the aforementioned firearm was manufactured outside of the state of Maryland, and therefore, has moved in interstate commerce during its existence.

10. The rifle appears to be capable of expelling a projectile by the action of an explosive.


Special Agent Arnold Esposito, Jr.
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to and subscribed before me
This 23rd day of May 2016 at Baltimore, Maryland


Stephanie A. Gallagher
United States Magistrate Judge
District of Maryland

